

**DECLARATION OF COVENANTS,
CONDITIONS, RESTRICTIONS, AND EASEMENTS
FOR
SAINT MARK COTTAGES**

This DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS (the "Declaration") is made and entered into this 15th of December, 2014 by South Paw Properties of the Upstate LLC., a South Carolina limited liability company (hereinafter referred to as the "Declarant") for the benefit of itself and its successors and assigns.

WHEREAS, Declarant is the owner of certain real property located in Greenville County, South Carolina, more specifically described on Exhibit attached hereto, which is to be developed as a single family detached residential development to be known as Saint Mark Cottages (hereinafter the "Development") and which has been subdivided into 32 Lots (as this term is hereinafter defined) as shown on that certain Subdivision Plat recorded in the Office of the Register of Deeds for Greenville County in Plat Book 1166 at Page 84 on November 6, 2013; and in Plat Book 1182 at Page 17 on June 25, 2014.

WHEREAS, Declarant now desires to foster the attractiveness of the Development, to prevent future impairment thereof, to preserve, protect and enhance the values and amenities of the Development, and to provide for the maintenance and upkeep of all common areas in the Development.

NOW, THEREFORE, Declarant hereby declares that all of the Property (as this term is hereinafter defined) is and shall be held, transferred, sold, conveyed and occupied subject to the covenants, conditions, restrictions, easements, charges, and liens set forth in this Declaration, which shall run with the Property and be binding on all parties having any right, title, or interest in the Property or any part thereof, and their respective heirs, successors and assigns, and shall inure to the benefit of each owner thereof and their respective heirs, successors, and assigns.

Article I Definitions

In addition to any other terms defined in this Declaration, the following terms shall have the following meanings when used herein:

1. "Association" means the Saint Mark Cottages Homeowners' Association, Inc., a South Carolina non-profit corporation, its successors and assigns.
2. "Common Area" means all real property (including improvements and fixtures thereon or attached thereto), and other property, real, personal, or mixed, which from time to time may be designated by Declarant for the common use and enjoyment of the Owners

or conveyed to the Association in fee simple; together with all rights-of-way, easements, appurtenant, improvements and hereditaments described in this Declaration or designated as Common Area on any recorded plats of the Development, including but not limited to landscape easements, utility easements, and those certain sewer and drainage easements and appurtenances as shown on that certain plat recorded in Plat Book 1166 at Page 84 in the Office of the Register of Deeds for Greenville County, South Carolina ("Register of Deeds") which shall be and are covenants running with the land at law.

3. "Declarant" means and refers to South Paw Properties of the upstate LLC, a South Carolina limited liability corporation, and its successors and assigns in interest, and shall also mean and refer to any person, firm, or corporation hereafter vested, at any given time, with title to two or more undeveloped Lots for the purpose of causing residences and appurtenant buildings to be constructed thereon, and any such successor in title to South Paw Properties of the upstate LLC, shall be a Declarant during such period of time as such successor is vested with title to two or more such lots (whether undeveloped or developed by such successor but not conveyed from such successor), but no longer.

4. "Declaration" means this Declaration of Covenants, Conditions, Restrictions and Easements, as the same may be amended, renewed or extended from time to time in the manner herein prescribed.

5. "Development" means Saint Mark Cottages, a single-family detached residential development.

6. "Lot" means any numbered plot of land and improvements thereon, with delineated boundary lines intended for single-family detached residential use, appearing on the Plats, and expressly excluding Common Areas and roads and streets shown on the Plats.

7. "Member" means every person or legal entity that holds membership in the Association.

8. "Mortgage" means any mortgage constituting a lien on a Lot.

9. "Mortgagee" means the owner and holder of a Mortgage at the time such term is being applied.

10. "Owner" means the record owner, whether one or more persons or legal entities, of the fee simple title to any Lot, including Declarant if it owns any Lot, and contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

11. "Plat" or "Plats" means one or more plats of the Development recorded in the Office of the Register of Deeds. Including but not limited to that certain plat entitled:

